

Report Date: March 19, 2020

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 19, 2020**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jacob L. Peckham

Case Number: 0980 2:17CR00195-WFN-1

Address of Offender: Spokane, Washington 99217

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: March 8, 2018

Original Offense: Escape from Custody, 18 U.S.C. §§ 751(a) and 4082(a)

Original Sentence: Prison - 4 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James Goeke

Date Supervision Commenced: July 27, 2018

Defense Attorney: Roger Peven

Date Supervision Expires: July 26, 2021

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 11/16/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition # 1: You must not commit another Federal, state, or local crime.**Supporting Evidence:** On March 18, 2020, at 1 a.m., Jacob Peckham committed the offense of careless driving.

According to Idaho State Police incident report # 20-0617, on March 18, 2020, at 1 a.m., Idaho state troopers observed a 2011 Mercedes Benz C300, bearing Washington license plate BHD9289, traveling 95 to 100 miles per hour westbound on Interstate 90 near mile post 7 in the State of Idaho. The trooper secured a radar reading of said vehicle traveling 94 and 95 miles per hour in a posted 70 miles per hour speed limit zone. Subsequently, the vehicle was stopped, and the driver was identified as Jacob L. Peckham. Given the high rate of speed Mr. Peckham was driving, he was cited for careless driving.

On July 30, 2018, Mr. Peckham was informed of his Court ordered conditions. He was given a copy of his judgment and signed his judgment reflecting he understood his conditions in full.

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- 5 **Mandatory Condition # 2:** You must not unlawfully possess a controlled substance including marijuana, which remains illegal under federal law.

Supporting Evidence: Jacob Peckham was arrested on March 18, 2020, by the Idaho State Police for trafficking heroin.

According to Idaho State Police incident report # 20-0617, on March 18, 2020, at 1 a.m., Idaho State troopers observed a 2011 Mercedes Benz C300, bearing Washington license plate BHD9289, traveling 95 to 100 miles per hour westbound on Interstate 90 near mile post 7 in the State of Idaho. The trooper secured a radar reading of said vehicle traveling 94 and 95 miles per hour in a posted 70 miles per hour speed limit zone. Subsequently, the vehicle was stopped, and the driver was identified as Jacob L. Peckham. Given the high rate of speed Mr. Peckham was driving, he was cited for careless driving.

During the traffic stop, Mr. Peckham was acting extremely nervous, avoiding eye contact, and his hand was trembling as he handed his driver's license to the state trooper. When questioned if he was on probation or parole, he stated he was not. However, Idaho state troopers verified that he in fact is on federal probation. Given the totality of the circumstances, a police K9 was requested at the traffic stop, and alerted on the presence of the odor of illegal drugs. Troopers located a small baggy stuffed between the driver's seat and the center console that contained a solid dark colored substance. Said substance field tested positive for heroin.

Jacob Peckham was arrested and booked into the Kootenai County Jail for the charge of trafficking heroin. Charges remain pending at the time of this report.

On July 30, 2018, Mr. Peckham was informed of his court ordered conditions. He was given a copy of his judgment and signed his judgment reflecting he understood his conditions in full.

- 6 **Standard Condition #10:** You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

Supporting Evidence: On March 18, 2020, Jacob Peckham was found to be in possession of a loaded handgun magazine. Additionally, in the vehicle driven by Jacob Peckham, two handguns were located.

According to Idaho State Police incident report # 20-0617, on March 18, 2020, at 1 a.m., Idaho state troopers observed a 2011 Mercedes Benz C300, bearing Washington license plate BHD9289, traveling 95 to 100 miles per hour westbound on Interstate 90 near mile post 7 in the State of Idaho. The trooper secured a radar reading of said vehicle traveling 94 and 95 miles per hour in a posted 70 miles per hour speed limit zone. Subsequently, the vehicle was stopped, and the driver was identified as Jacob L. Peckham. Given the high rate of speed Mr. Peckham was driving, he was cited for careless driving.

During the traffic stop, Mr. Peckham was acting extremely nervous, avoiding eye contact, and his hand was trembling as he handed his driver's license to the state trooper. When questioned if he was on probation or parole, he stated he was not. However, troopers verified that he was in fact on federal probation. Given the totality of the circumstances, a police K9

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was requested at the traffic stop, and alerted on the presence of the odor of illegal drugs. Officers located a small baggy stuffed between the driver's seat and the center console that contained a solid dark colored substance. Said substance field tested positive for heroin.

Prior to the search of Mr. Peckham's vehicle on March 18, 2020, Mr. Peckham was patted down by Idaho state troopers. Found in Jacob Peckham's left front pocket, was a loaded handgun magazine. Additionally, troopers located a handgun under the passenger seat of the vehicle Mr. Peckham was driving and another handgun in the trunk of the vehicle Mr. Peckham was driving. The loaded handgun magazine located in Mr. Peckham's front left pocket matched the handgun that was located under the front passenger seat.

On July 30, 2018, Mr. Peckham was informed of his court ordered conditions. He was given a copy of his judgment and signed his judgment reflecting he understood his conditions in full.

7 **Standard Condition # 3:** You must not knowingly leave the federal judicial district where you are authorized to without first getting permission from the court or the probation officer.

Supporting Evidence: As reflected in violation #5, Jacob L. Peckham was located in the District of Idaho on March 18, 2020.

Jacob Peckham did not receive permission from the Court or the probation office to travel outside of the Eastern District of Washington.

On July 30, 2018, Mr. Peckham was informed of his court ordered conditions. He was given a copy of his judgment and signed his judgment reflecting he understood his conditions in full.

8 **Special Condition # 4:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Jacob Peckham failed to attend substance abuse counseling at Pioneer Counseling Center on March 13 and 16, 2020.

The undersigned officer received notification from Pioneer Counseling Center advising Jacob Peckham failed to report for substance abuse counseling as scheduled on March 13 and 16, 2020.

On July 30, 2018, Mr. Peckham was informed of his court ordered conditions. He was given a copy of his judgment and signed his judgment reflecting he understood his conditions in full.

9 **Special Condition # 6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: Jacob Peckham failed to report for random urinalysis testing at Pioneer Counseling Center on March 12 and 17, 2020

The undersigned officer received notification from Pioneer Counseling Center advising Jacob Peckham failed to report for substance abuse testing as directed on March 12 and 17, 2020.

On July 30, 2018, Mr. Peckham was informed of his court ordered conditions. He was given a copy of his judgment and signed his judgment reflecting he understood his conditions in full.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/19/2020

s/Richard Law

Richard Law
Supervisory U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

3/19/2020

Date